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Informal Preparatory Meeting of the Ad Hoc Committee for the Negotiation of a Convention against Corruption
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Proposals and contributions received from Governments

Sri Lanka: comments on the report of the Meeting of the Intergovernmental Open-Ended Expert Group to Prepare Draft Terms of Reference for the Negotiation of an International Legal Instrument against Corruption

While agreeing in general with the views expressed by the various representatives speaking on behalf of the different groups of countries, Sri Lanka wishes to emphasize the following:

(a) The need for effective measures for the prevention and control of and fight against corruption in both the public and private sector, including the involvement of civil society, the training of civil servants, the establishment of mechanisms to protect whistle-blowers and the establishment of national independent anti-corruption bodies, criminalization of illicit enrichment and laundering of the proceeds of corruption; international cooperation, including exchange of information, training, extradition and mutual legal assistance; measures to prevent and fight the transfer of funds of illicit origin and the laundering of proceeds derived from corruption activities, as well as measures to facilitate the repatriation of such funds; technical assistance; and the establishment of a multilateral mechanism to monitor the application of the convention;

(b) The need to address active and passive corruption in the public sector as well as the private sector. There is also a need to address laundering of the proceeds of corruption and their seizure and confiscation as well as international cooperation in that regard;

(c) The need for a clear definition of corruption that cover both the private and the public sectors and to address the concept of corruption in the broadest sense possible;

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(d) The need to foster international cooperation with particular care that the integrity of domestic legal systems is not compromised and at the same time not allowing it to stand in the way of investigations of corruption in a third country and the need to be responsive to sovereign equality, territorial integrity and non-interference in the domestic affairs of States;

(e) Prevention was perceived by some delegations as including the promotion of integrity, transparency and good governance. It could also include development of codes of conduct or ethics, an effective and impartial civil service, effective systems for financing political parties, establishment of independent oversight bodies, free and transparent media, transparent public procurement rules, effective regulation of financial systems, an independent judiciary and the effective implementation of the rule of law. Prevention should also address the social and economic factors that are associated with corruption. The involvement and participation of civil society in preventing corruption and the promotion of public awareness is also stressed.